

2013 DRAFTING REQUEST

Bill

Received:	12/13/2013	Received By:	emueller
Wanted:	As time permits	Same as LRB:	-1462
For:	John Spiros (608) 266-1182	By/Representing:	Katherine Bates
May Contact:		Drafter:	emueller
Subject:	Transportation - traffic laws	Addl. Drafters:	
		Extra Copies:	ARG

Submit via email: **YES**
 Requester's email: **Rep.Spiros@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit cell phone use in highway construction zone

Instructions:

Same as 13-1462/1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	emueller 12/13/2013	kfollett 12/13/2013	rschluet 12/13/2013	_____	srose 12/13/2013	lparisi 12/16/2013	

FE Sent For:

*Not
needed*

<END>

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/1	emueller	11/5/13					
1/1	EW 12/13/13	12/13				Jacket per EVM	

FE Sent For:

<END>

Mueller, Eric

From: Bates, Katherine
Sent: Friday, December 13, 2013 2:22 PM
To: Mueller, Eric
Subject: Draft

Happy Friday Eric!

If I could get the Assembly companion for LRB 1462 jacketed whenever you have a free minute I would appreciate it.

Katherine Bates

Office of Representative John Spiros
86th Assembly District
State Capitol – 17 North
608-266-1183



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1462/1
EVM:kjfrs

3837/1

RMNR

2013 BILL

Companion Bill/
No Changes

12/13/13

Soon

- 1 AN ACT *to amend* 346.95 (1); and *to create* 346.89 (5) of the statutes; **relating**
2 **to:** the use of a cellular or other wireless telephone while driving a motor vehicle
3 in a construction zone and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits inattentive driving of a motor vehicle, which includes: 1) being so engaged or occupied, while driving a motor vehicle, as to interfere with the safe driving of the vehicle; 2) driving a motor vehicle while composing or sending an electronic text message or an e-mail message, subject to various exceptions; and 3) a probationary license or instructional permit holder driving a motor vehicle while using a cellular or other wireless telephone. Any person convicted of the first two forms of inattentive driving may be required to forfeit not less than \$20 nor more than \$400 and any person convicted of the third form of inattentive driving may be required to forfeit not less than \$20 nor more than \$40 for a first offense and not less than \$50 nor more than \$100 for a second or subsequent offense within a year.

This bill prohibits a person from driving a motor vehicle while using a cellular or other wireless telephone in a construction zone, unless the person uses the telephone without the use of his or her hands. The prohibition includes using the telephone for a purpose other than communication. Persons who violate this prohibition may be required to forfeit not less than \$20 nor more than \$40 for a first

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offense, and not less than \$50 nor more than \$100 for a second or subsequent offense within one year.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 346.89 (5) of the statutes is created to read:

346.89 (5) No person may drive, as defined in s. 343.305 (1) (b), any motor vehicle while using a cellular or other wireless telephone, including using the telephone for a purpose other than communication, where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, unless the driver uses the telephone without the use of his or her hands.

SECTION 2. 346.95 (1) of the statutes is amended to read:

346.95 (1) Any person violating s. 346.87, 346.88, 346.89 (2) ~~or~~, (4), or (5), 346.90 to 346.92, or 346.94 (1), (9), (10), (11), (12), or (15) may be required to forfeit not less than \$20 nor more than \$40 for the first offense and not less than \$50 nor more than \$100 for the 2nd or subsequent conviction within a year.

SECTION 3. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.

(END)